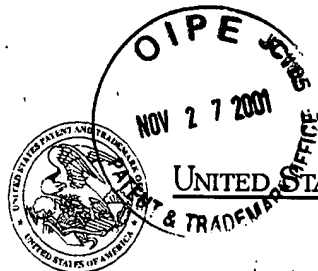


#3



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/940,266	08/27/2001	Gust H. Bardy	032580.0028.UTL

23865  
EDWARD O. KRUESSER  
BROBECK PHLEGER & HARRISON  
12390 EL CAMINO REAL  
SAN DIEGO, CA 92130

CONFIRMATION NO. 5571

## FORMALITIES LETTER



\*OC000000006579369\*

Date Mailed: 09/19/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

11/29/2001 BNGUYEN1 00000014 09940266

01 FC:205

65.00 UP

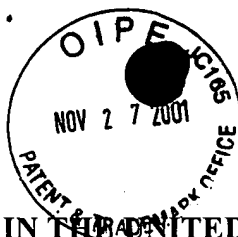
*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

094026-1270



Seator \$ #3  
Patent  
032580.0028.CIP1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Gust H. Bardy, et al.

Serial No.: 09/940,266

Filed: August 27, 2001

For: BIPHASIC WAVEFORM FOR  
ANTI-TACHYCARDIA PACING FOR A  
SUBCUTANEOUS IMPLANTABLE  
CARDIOVERTER-DEFIBRILLATOR

)  
) Group Art Unit: 3762

)  
) Examiner: To be assigned

SUBMISSION OF MISSING PARTS AND RELATED APPLICATION PAPERS

BOX MISSING PARTS  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

1. Documents Enclosed:

In response to the **NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION UNDER 37 CFR 1.53(b)**, which was mailed by the Patent Office on September 19, 2001 enclosed are:

- ☒ Declaration executed by named inventors;
- ☒ Substitute Drawings Figures 1-19 (10 sheets);

CERTIFICATE OF MAILING  
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with anything referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit

4/14/01

Name of Person Mailing Paper

Signature of Person Mailing Paper

- ☒ Copy of Notice to File Missing Parts of Nonprovisional Application under 37 CFR 1.53(b);
- ☒ Grant of Power of Attorney; and
- ☒ Assignment of the invention to **Cameron Health, Inc.** (together with form PTO-1595).

2. **REQUEST FOR EXTENSION OF TIME:**

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

- ☐ Applicant(s) petitions for an extension of time under 37 CFR § 1.136 [fees: 37 CFR § 1.17(a)(1)-(5)] for the total number of months checked below:

	EXTENSION (months)	FEE FOR SMALL ENTITY	FEE FOR OTHER THAN SMALL ENTITY
<input type="checkbox"/>	one month	\$55.00	\$110.00
<input type="checkbox"/>	two month	\$195.00	\$390.00
<input type="checkbox"/>	three month	\$445.00	\$890.00
<input type="checkbox"/>	four month	\$695.00	\$1,390.00
<input type="checkbox"/>	five month	\$945.00	\$1,890.00

3. **FILING FEES**

<b>BASIC FILING FEE:</b>				\$0.00
Total Claims	- 20 =	x	\$18.00	\$0.00
Independent Claims	- 3 =	x	\$80.00	\$0.00
Multiple Dependent Claims	\$270	(if applicable)	<input type="checkbox"/>	\$0.00
Surcharge 37 CFR § 1.16(e)	\$130	(if applicable)		\$130.00
<b>TOTAL OF ABOVE CALCULATIONS</b>				\$130.00
Reduction by 1/2 for Filing by Small Entity. Note 37 CFR §§ 1.9, 1.27, 1.28.				
			<input checked="" type="checkbox"/>	\$65.00
Extension of Time (from above)			<input type="checkbox"/>	\$0.00
Assignment--\$40 (if applicable)			<input checked="" type="checkbox"/>	\$40.00
<b>TOTAL FEES SUBMITTED HEREWITH</b>				\$105.00

4. **METHOD OF PAYMENT OF FEES:**

- ☒ Check in the amount of \$105.00 is enclosed to cover the above fee(s).  
☐ Charge Deposit Account No. **50-1273** in the amount of \$0.00  
☒ The Commissioner is authorized to charge Counsel's Deposit Account No. **50-1273** for any fees required under 37 CFR 1.16, 1.17 and 1.445 that are not covered, in whole or in part, by a check enclosed herewith and to credit any overpayments to said Deposit Account **50-1273**.

Respectfully submitted,

BROBECK, PHLEGER & HARRISON LLP

Dated: 11/14/01

By: Jonathan L. Pettit  
Jonathan L. Pettit  
Reg. No. 40,770

JLP:jxb

**BROBECK, PHLEGER & HARRISON LLP**  
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San Diego, CA 92130-2081  
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Facsimile: (858) 720-2555